

Ordinance No. 17945-01-2008

AN ORDINANCE INCREASING ESTIMATED RECEIPTS AND APPROPRIATIONS IN THE LAKE WORTH TRUST FUND IN THE AMOUNT OF \$174,055 FROM GAS LEASE REVENUE FOR THE PURPOSE OF FUNDING THE EXPANSION OF THE FORT WORTH NATURE CENTER AND REFUGE; PROVIDING FOR A SEVERABILITY CLAUSE; MAKING THIS ORDINANCE CUMULATIVE OF PRIOR ORDINANCES IN CONFLICT HERewith; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT WORTH, TEXAS:

SECTION 1.

That in addition to those amounts allocated to the various City departments for Fiscal Year 2007-2008 in the Budget of the City Manager, there shall also be increased estimated receipts and appropriations in the Lake Worth Trust Fund in the amount of \$174,055 for the purpose of funding the expansion of the Fort Worth Nature Center and Refuge.

SECTION 2.

That should any portion, section or part of a section of this ordinance be declared invalid, inoperative or void for any reason by a court of competent jurisdiction, such decision, opinion or judgment shall in no way impair the remaining portions, sections, or parts of sections of this ordinance, which said remaining provisions shall be and remain in full force and effect.

SECTION 3.

That this ordinance shall be cumulative of Ordinance No. 17749 and all other ordinances and appropriations amending the same except in those instances where the provisions of this ordinance are in direct conflict with such other ordinances and appropriations, in which instance said conflicting provisions of said prior ordinances and appropriations are hereby expressly repealed.

SECTION 4.

This ordinance shall take effect upon adoption.

APPROVED AS TO FORM AND LEGALITY:

  
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Assistant City Attorney

ADOPTED AND EFFECTIVE: January 8, 2008

*City of Fort Worth, Texas*  
**Mayor and Council Communication**

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**COUNCIL ACTION: Approved on 1/8/2008 - Ord. No. 17945-01-2008**

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**DATE:** Tuesday, January 08, 2008  
**LOG NAME:** 80LAKELAND07

**REFERENCE NO.:** L-14450

**SUBJECT:**

Authorize an Exception to the Existing Moratorium on the Use of Gas Well Revenue, Authorize the Appropriation of Funds from the Gas Well Revenue Account in the Lake Worth Trust Fund, Adopt Appropriation Ordinance, Authorize the Use of the Appropriated Funds for the Purchase of the Combined 1.54 Acres of Land and Improvements Located at 8536 Marks Lane, Fort Worth, Tarrant County, Texas, for the Purpose of Expansion of the Fort Worth Nature Center and Refuge (DOE No. 5786 - Project No. 271), and Authorize Acceptance and Recording of Appropriate Instruments

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**RECOMMENDATION:**

It is recommended that the City Council:

1. Authorize an exception to the existing moratorium on gas well revenue expenditures for the acquisition of the combined 1.54 acres of land and improvements located at 8536 Marks Lane, Fort Worth, Tarrant County, Texas;
2. Authorize the appropriation of funds in the Lake Worth Trust Fund from gas well revenue for the acquisition of the Property from the Fort Worth Nature Center and Refuge Conservancy for the expansion of the Fort Worth Nature Center and Refuge;
3. Adopt the attached appropriation ordinance increasing estimated receipts and appropriations by \$174,055.00 in the Lake Worth Trust Fund from gas well revenue;
4. Authorize the purchase of the Property for a cost of \$166,555.00, plus closing costs estimated at \$7,500.00; and
5. Authorize the acceptance and recording of appropriate instruments.

**DISCUSSION:**

This combined 1.54 acres improved parcel is located in the Lakeland Addition and is encircled by the Fort Worth Nature Center and Refuge (FWNC&R). The FWNC&R's 2003 Strategic Master Plan, adopted by City Council on June 17, 2003, (M&C G-13998) recommends the eventual acquisition of all Lakeland Addition properties by the City of Fort Worth and their addition to the FWNC&R in order to eliminate the discontinuity of properties within the park.

In order to meet a specific timeframe deadline a non-profit support group for the FWNC&R, the Fort Worth Nature Center and Refuge Conservancy, agreed to purchase the property and hold it in trust for the City, which would allow the City to subsequently purchase the property from the Conservancy at a later date.

The agreed-upon purchase price of the property is \$166,555.00, which would allow reimbursement to the Conservancy for their purchase price and associated expenses with an additional \$7,500.00 for applicable

acquisition and closing costs related to this transaction. A survey is being obtained as part of the acquisition process.

The legal description is as follows:

<u>Grantor</u>	<u>Legal Description</u>	<u>Acres</u>	<u>Amount</u>
Fort Worth Nature Center and Refuge Conservancy	Lakeland Addition Block 2 Lots 1, 2, 3, 4, 5 & 6, Fort Worth, Tarrant County, Texas	1.54	\$166,555.00
Estimated Closing Costs			<u>\$7,500.00</u>
		<b>Total</b>	<b>\$174,055.00</b>

Acquisition of properties in the Lakeland Addition was not specifically listed as one of the exceptions to the gas well lease revenues expenditure moratorium enacted April 17, 2007; however, due to the strategic importance of this purchase and the narrow window of opportunity to execute the purchase, an exception to the moratorium is recommended.

The property is located in COUNCIL DISTRICT 7, Mapsco 45F.

**FISCAL INFORMATION/CERTIFICATION:**

The Finance Director certifies that upon approval and completion of recommendations and the adoption of the attached appropriation ordinance, funds will be available in the current operating budget, as appropriated, of the Lake Worth Trust Fund.

**TO Fund/Account/Centers**

FE70 446100 030001902000	\$174,055.00
FE70 541100 030001902000	\$174,055.00

**FROM Fund/Account/Centers**

FE70 446100 030001902000	\$174,055.00
FE70 541100 030001902000	\$174,055.00

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**Submitted for City Manager's Office by:**

**Originating Department Head:**

**Additional Information Contact:**

Libby Watson (6183)

Richard Zavala (871-5704)

Melody Mitchell (871-5719)

Suzanne Tuttle (237-6940)

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